Case 09-25887 Doc 15 Filed 09/14/09 Entered 09/14/09 15:08:25 Desc Main

UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In Re:	Luke Fonash) 09 B 25887	
)	
	Debtor(s)) Judge A. Benja	nin Goldgar

Notice Of Motion/ Certificate Of Service

Luke Fonash 1040 West Adams Street Unit 419 Chicago, IL 60607

Peter L Berk Law Office via the clerk's ECF noticing procedures

On 09/22/09 at 11:00 A.M. I will appear in:

Courtroom 613 219 S Dearborn St

Chicago, IL 60604 and present this motion, a copy of which is hereby served upon you. I certify under penalty of perjury that I caused a copy of this notice be mailed to the above listed persons by first class US mail, postage prepaid, on or before 09/14/09.

<u>/s/Anthony Olivadoti</u> Anthony Olivadoti for Marilyn O Marshall, Trustee

Motion to Dismiss for Unreasonable Delay

COMES NOW Marilyn O Marshall, Standing Trustee, and requests that this case be dismissed pursuant to 11 USC §1307(c), and in support thereof states the following:

- 1. Debtor(s) filed for chapter 13 on July 17, 2009.
- 2. Debtor(s) have/has failed to satisfy the requirements of the bankruptcy code and meet their burden to confirm a plan in a reasonable time.
- 3. Debtor must amend SOFA numbers 19 & 19(d), 27,28, and 30.
- 4. Debtor must amend plan for feasibilty running over sixty months, also budget seems excessive.
- 5. Debtor(s) failure to confirm a plan in a timely manner constitutes unreasonable delay.

WHEREFORE, Trustee prays that this case be dismissed, and for any and all other relief this Court deems just and proper.

/s/Anthony Olivadoti Anthony Olivadoti for Marilyn O Marshall, Trustee

Office of the Chapter 13 Trustee 224 South Michigan Ave. Suite 800 Chicago, Illinois 60604 (312)431-1300